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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,068	08/30/2006	Gunter Fuhr	P-9039-US	5979
	7590 01/28/2019 dek Latzer, LLP	EXAMINER		
1500 Broadway		KIM, TAEYOON		
12th Floor New York, NY 10036			ART UNIT	PAPER NUMBER
		1651		
			MAIL DATE	DELIVERY MODE
			01/28/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/591,068	FUHR, GUNTER	
Examiner	Art Unit	

-The MAILING DATE of this communication appears on the cover sheet with the correspondence address - THE REPLY FILED 14 January 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. ★ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (vil appeal feel) in compliance with 37 CFR 1.13 for (3) a Request for Continued Examination (RCE) in compliance with 47 CFR 1.114. The reply must be filed within one of the following time of the following time of the continued of the continued and the continued of the continued of the period for reply segment on: (1) the mailing date of the final rejection. 5. ★ The period for reply segment on: (1) the mailing date of the final rejection. 6. ★ The period for reply segment on: (1) the mailing date of the final rejection. 6. ★ The period for reply segment on: (1) the mailing date of the final rejection. 6. ★ The period for reply segment on: (1) the mailing date of the final rejection. 6. ★ The period for reply segment on: (1) the mailing date of the final rejection. 6. ★ The period for reply segment on: (1) the mailing date of the final rejection. 6. ★ The period for reply segment on: (1) the mailing date of the final rejection on the continued of the final rejection. 6. ★ The period for reply segment on: (1) the mailing date of the final rejection on the continued of the final rejection on the continued of the final rejection on the continued on the final rejection of the final rejection on the final rejection			raeyeen rain	1001
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b)		application, applicant must timely file one of the following i application in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C	replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	t, or other evidence, which places the with 37 CFR 41.31; or (3) a Request
no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1s checked, check either box (a) or (b), ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWC Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the filed. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any amend patent term adjustment. See 37 CFR 1.70(b). NOTICE OF APPEAL. 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.121. See att	a)	The period for reply expiresmonths from the mailing	date of the final rejection.	
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patient term adjustment. See 37 CFR 1.704(b). NOTICE DF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal also been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). A meanendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). B meanendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). C proposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowab	b)	no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (ater than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejection.
 2. ☐ The Notice of Appeal was filed on, A brief in compliance with 37 CFR 4.1.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise the Issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). 4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. ☐ Applicant's reply has overcome the following rejection(s):	have bunder set for may re	tions of time may be obtained under 37 CFR 1.136(a). The date of the deen filed is the date for purposes of determining the period of ext 37 CFR 1.17(a) is calculated from: (1) the expiration date of the seth in (b) above, if checked. Any reply received by the Office later adduce any earned patent term adjustment. See 37 CFR 1.704(b).	on which the petition under 37 CFR 1.1 cension and the corresponding amount of the chortened statutory period for reply origing than three months after the mailing dat	of the fee. The appropriate extension fee nally set in the final Office action; or (2) as
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			/Taeyoon Kim/	
Primary Examiner, Art Unit 1651				nit 1651

Continuation of 3. NOTE: The newly proposed amendment discloses a new limitation drawn to a cell carrier comprising a bottom element, and this requires further consideration and/or search.